

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

STATE AUTOMOBILE MUTUAL
INSURANCE COMPANY,

Plaintiff,

v.

FIREMAN FIRE PROTECTION, INC.,
JAMES G. STONE III, ROBIN ALETRAS,
and AUTO-OWNERS (MUTUAL) INSURANCE
COMPANY,

Defendants.

and

FIREMAN FIRE PROTECTION, INC. and
JAMES G. STONE III,

Counter/Cross Plaintiffs,

v.

STATE AUTOMOBILE MUTUAL INSURANCE
COMPANY and ROBIN ALETRAS,

Counter/Cross Defendants.

No. 3:14-cv-229

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is an Unopposed Motion to Intervene [Doc. 29]. Therein, James G. Stone, Jr. and Betty R. Stone seek leave to intervene in this matter as Intervening Plaintiffs. The Movants argue that they are “interested, necessary, and indispensable parties to this litigation.” See, Doc. 29 at 1. Specifically, the Movants are part-owners of the subject property at issue in

this case. The Movants have attached a copy of their proposed Intervening Complaint to the Motion to Intervene. Movants assert that they have consulted with opposing counsel, and that this Motion is unopposed.

Pursuant to Rule 24, a Court must permit an intervention by a person or entity who “claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant’s ability to protect its interest, unless existing parties adequately represent that interest.” Fed. R. Civ. P. 24(a)(2). Additionally, the Court may permit a person or entity who “has a claim or defense that shares with the main action a common question of law or fact,” to intervene in the action. Fed. R. Civ. P. 24(b)(1). In exercising its discretion, the court must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights. Fed. R. Civ. P. 24(b)(3).

A person or entity who intends to intervene must serve notice upon the parties as provided in Rule 5. Fed. R. Civ. P. 24(c). A motion to intervene must “be accompanied by a pleading that sets out the claim or defense for which intervention is sought.” *Id.*

Based upon the foregoing, this Court finds that the Motion to Intervene [**Doc. 29**] is well-taken, and it is **GRANTED**. Movants **SHALL FILE** their proposed Intervening Complaint [Doc.29-1] in the record as their operative pleading on or before **April 27, 2015**.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge